



DMCJA Board of Governors Meeting
Friday, December 13, 2019, 12:30 p.m. – 3:30 p.m.
AOC SeaTac Office
SeaTac, WA

MEETING MINUTES

Members Present:

Chair, Judge Samuel Meyer
Judge Linda Coburn
Judge Michelle Gehlsen
Judge Drew Ann Henke
Judge Tyson Hill
Judge Rebecca Robertson
Judge Charles Short
Judge Jeffrey Smith
Judge Laura Van Slyck (via phone)

Members Absent:

Judge Thomas Cox
Judge Robert Grim
Commissioner Rick Leo
Judge Aimee Maurer
Commissioner Paul Wohl

Guests:

Judge Mary Logan, BJA
Judge Kevin Ringus, BJA
Judge Douglas Fair
Judge Beth Fraser (via phone)
Kim Hunter, Esq., WSBA (via phone)
Judge Judith Ramseyer, SCJA (via phone)
Patti Kohler, DMCMA

Administrative Office of the Courts (AOC)

Ms. J Benway (via phone)
Ms. Vicky Cullinane
Ms. Sharon R. Harvey

CALL TO ORDER

Judge Meyer, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at approximately 12:35 p.m. Judge Meyer asked meeting attendees to introduce themselves.

GENERAL BUSINESS

A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Minutes for November 8, 2019. Judge Gehlsen, who did not attend the November meeting, abstained from voting.

B. Treasurer's Report

Judge Meyer deferred the Treasurer's Report to the January Board meeting when Commissioner Leo is available to report.

C. Special Fund Report

M/S/P to approve the November and December Special Fund reports. Judge Short, Special Fund Custodian, encouraged Board members to review the reports in the meeting materials.

D. Standing Committee Reports

1. Legislative Committee

Judge Meyer reported that Melanie Stewart, Esq., DMCJA Lobbyist, is seeking sponsors for DMCJA proposed legislation. He informed that Representative Roger Goodman's DUI Workgroup plans to submit legislation during the 2020 Legislative Session. The DMCJA Executive Committee, which will convene on January 13, 2020, will track all legislation related to district and municipal courts.

2. Rules – Minutes for October 23, 2019

Judge Meyer informed that DMCJA Rules Committee Minutes for October 23, 2019 are contained in meeting materials. Ms. Benway, Administrative Office of the Courts (AOC) Staff for DMCJA Rules Committee, was available to answer any questions related to the Committee.

E. Judicial Information System (JIS) Report

Ms. Cullinane reported on issues related to JIS. First, she followed-up with inquiries regarding electronic filing (e-filing) for the CLJ Case Management System Project and informed that no decisions regarding the charging model and other policy questions have been made to date. Second, she reported that Judge John Hart, Whitman County District Court, has agreed to serve on the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Court User Work Group (CUWG). The CUWG is seeking another DMCJA CUWG member. Third, Ms. Cullinane mentioned King County Clerk's Office onboarding to the Enterprise Data Repository (EDR), which is up and running. The Board had a robust discussion regarding information missing from the Judicial Access Browser System (JABS), particularly criminal history, and how the nature of data exchange and courts using separate systems play a role in the issue. Ms. Cullinane assured Board members that EDR is working although it, like any data exchange between two systems that are designed differently, is not perfect. AOC continues to do what it can to address the issues with data quality. Board members are concerned that courts choosing to acquire their own case management system instead of the statewide system are causing a threat to public safety because some courts are unable to view a full defendant case history (DCH). Judge Gehlsen expressed DCH concerns experienced at her court. Ms. Cullinane requests that judges submit a ticket to AOC when they discover specific issues in order for AOC to properly address concerns. Board members expressed gratitude to Ms. Cullinane for her hard work and continued willingness to assist Board members with these concerns.

LIAISON REPORTS

A. Board for Judicial Administration (BJA)

Judge Ringus, BJA liaison, reported that the BJA met on November 15, 2019. It was a joint meeting with the Court Management Council (CMC). During the meeting, the following CMC managers of the year were announced: Jennefer Johnson, Des Moines Municipal Court, and Fona Sugg, Chelan County Superior Court. Judge Ringus further reported that the November meeting was Chief Justice Mary Fairhurst's last meeting as BJA Co-Chair, as she will retire from the bench in January 2020. There was cake to celebrate the Chief Justice. The next BJA meeting is in February 2020. For more information regarding the BJA, please visit the following web link: http://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.meetings.

B. District and Municipal Court Management Association (DMCMA)

Patti Kohler, DMCMA liaison, reported that the DMCMA will celebrate its 50th Anniversary during its annual conference on May 16-20, 2020. Judge Gehlsen suggested that Judge Meyer, DMCJA President, attend a portion of the conference to support the DMCMA.

C. Superior Court Judges' Association (SCJA)

Judge Ramseyer, SCJA liaison, reported that the SCJA is gearing up for legislative session. Tom Parker, SCJA Lobbyist, is working with legislators on SCJA related issues, such as court education. Judge Ramseyer informed that the SCJA supports BJA Court System Education Funding Task Force's efforts. Judge Meyer expressed that the DMCJA is also in support of these efforts. Judge Meyer informed that Judge Michelle Gehlsen is the DMCJA liaison for the SCJA.

D. Washington State Bar Association (WSBA)

Ms. Hunter, WSBA liaison, reported on WSBA events impacting judicial officers, namely, status changes, which are as follows: (1) active/judicial member, (2) inactive/retired judicial (may pro-tem), (3) Emeritus/Pro Bono, and, (4) Honorary member (active or judicial or combination thereof, serving 50+ years with WSBA). Honorary members may continue to practice but are not required to pay bar license fee. Further, the reinstatement class has been eliminated for retired judges interested in serving pro tem or offering pro bono

services. Additionally, the continuing legal education (CLE) submission process is now streamlined to allow one WSBA contact person to handle all judicial CLE submissions. Ms. Hunter further reported that the Lawyer Assistant Program will be revised to become more useful for WSBA members. There will be a free CLE regarding anti-harassment inclusion. These changes were made as a response to comments submitted by the judicial community to the WSBA. Ms. Hunter informed that she will attend the January Board meeting to collect comments from Board members in which she will convey at the March 2020 WSBA meeting.

ACTION

- A. The Board ratified the DMCJA President's appointment of Commissioner Paul Wohl to fill the Board Position 7 vacancy.

DISCUSSION

A. Court System Education Funding Task Force Presentation

Judge Douglas Fair, Snohomish County District Court, attended the Board meeting to encourage DMCJA members to support efforts to obtain state funding for court system education. Judge Fair reported that the Court System Education Funding Task Force ("task force") has reconvened for a second year to obtain said funding. He informed that the task force is targeting four key legislative committees, namely, (1) House Civil Rights & Judiciary, (2) House Appropriations, (3) Senate Law and Justice, and (4) Senate Ways and Means. Judge Fair informed that the Washington Judiciary is requesting two-hundred seven thousand dollars (\$207,000) in 2020 and approximately five hundred fifty thousand dollars (\$550,000) in the next biennium to ensure new judicial officers and court personnel get timely access to the training needed to serve the public effectively. Judge Fair requests that all judges support this funding effort by performing the following tasks:

1. Meeting with local legislators to support this effort.
2. Asking your county/city executives and commissions/council members to adopt funding for training for judges and court personnel as a legislative priority.
3. Sharing these materials with your membership and colleagues and requesting that they contact local stakeholders.
4. Sharing personal and community experiences with key stakeholders to highlight how funding can address local needs and benefit the community.
5. During the legislative session, respond to emails requesting targeted outreach and support.

Judge Fair provided resource materials for judges that are located in Board materials. He also informed that Jeanne Englert, AOC Administrative Manager for the BJA, is the contact person for the task force.

Following the presentation, Board members requested committee rosters for the various committees. Judge Meyer, who formerly served as the DMCJA Legislative Committee Chair, responded that the roster of members for legislative committees will be available on the first day of the 2020 Washington State Legislative Session, which is January 13, 2020.

B. Social Media (Facebook, Twitter, etc.): Public Outreach Committee request to create DMCJA Facebook Page

Judge Beth Fraser, DMCJA Public Outreach Committee Chair, reported that the DMCJA Public Outreach Committee seeks Board approval to move forward with efforts to develop a plan to create a DMCJA Facebook page. The plan will include proposed policies and guidelines and also gather best practices with developing a Facebook page. Additionally, the group seeks to determine the challenges and rewards of this communication

tool. The Board by general consensus gave Judge Fraser and her committee permission to move forward in developing a plan for a DMCJA Facebook page to be presented before the DMCJA Board at a future date.

C. Petition to Change Name – Washington Attorney General Office’s concerns regarding practices in Washington State District Courts

This is a carry-over issue from the November DMCJA Board meeting regarding an Office of the Attorney General of Washington State (OAG) request for district court judges not to request unnecessary personal information from petitioners seeking to change their names. This discussion led to a request for an AOC petition to change name form in order to promote access to justice and promote uniform procedures across the state. Ms. Benway, AOC Legal Services Senior Analyst, agreed to speak with the Washington Pattern Forms Committee about the possibility of producing sample petition to change name forms for district courts.

Ms. Benway reported that she sent the request for the petition to change name form through the Pattern Forms Committee (PFC) comment tool because AOC has been unable to fill the full-time forms analyst position. The response was that the PFC is unlikely to develop new forms now because of staffing concerns. Thus, District Court judges are encouraged to visit the Washington Courts’ Name Changes information page that contains resources for name change petitioners, which is located at the following web link: <http://www.courts.wa.gov/forms/?fa=forms.static&staticID=13>. Additionally, the Pierce County name change page, which has an online petition that could serve as a model for courts, is a valuable resource. Pierce County’s name change page may be found at the following web link: <https://www.co.pierce.wa.us/822/Change-Your-Name>.

D. Ratification of Board Commissioner Appointment

Judge Meyer reported that he has appointed Commissioner Paul Wohl to the vacant Board Position 7, and, seeks Board ratification, pursuant to DMCJA Bylaws. M/S/P to make this an action item.

INFORMATION

Judge Meyer informed the Board of the following:

- A. Comment on Rules of Professional Conduct – Comment to Rule 4.4 – Respect for rights of Third Person (Submitted to Supreme Court Rules Committee December 4, 2019)
 - 1. Proposed Amended Court Rule (Revised after Original Submission)
- B. TVW is featuring Washington Courts. For interviews regarding district and municipal courts and therapeutic courts, please visit the following web links:
 - <https://www.tvw.org/watch/?eventID=2019111019>
 - <https://www.tvw.org/watch/?eventID=2019111111>
- C. DOL-Court Leadership Meeting Summary Letter
- D. DMCJA Public Outreach Committee Campaign to “Take Your Legislator to Work Week” is December 9-13, 2019. Please invite your local or state official to visit your court.
- E. On December 20, 2019, Judge Meyer and Judge Robertson will meet with King County Superior Court regarding Judicial Access to court documents.

Regarding the Comment to Rule 4.4 that relates to immigrants at the courthouse, the rule was submitted for comment in December 2020. The Washington State Supreme Court expedited the date for comment submission from April 2020 to February 2020. The DMCJA Rules Committee is reviewing the immigration rule and plans to submit a recommendation to the Board prior to the comment deadline date. Regarding the Public Outreach Committee's campaign, Judge Smith inquired about the definition of "lobbying" in Washington State. Board members recommended that he contact the Washington State Public Disclosure Commission (PDC) directly and request to know his parameters as a member of the DMCJA Legislative Committee. Further, regarding the meeting with King County Superior Court, Judge Robertson requested Board members submit any issues related to the portal to her attention prior to the December 20, 2019 meeting.

OTHER BUSINESS

The next DMCJA Board Meeting is January 10, 2020, from 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office Center.

ADJOURN

The meeting was adjourned at approximately 2:45 p.m.